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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/846,175  | 04/30/2001  | John E. Brezak       | MSI-646US           | 4174             |
| 22801   | 7590        | 05/19/2005           | EXAMINER            |                  |
| LEE & HAYES PLLC<br>421 W RIVERSIDE AVENUE SUITE 500<br>SPOKANE, WA 99201 |             |                      | SON, LINH L D       |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2135                |                  |

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/846,175             | BREZAK ET AL.       |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Linh LD Son            | 2135                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 April 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Hillhouse, US Patent No. 6052468.
3. As per claims 1 and 11, Hillhouse discloses a method for use in a computer capable of supporting multiple authentication mechanisms (Col 6 lines 25-35), the method comprising: generating at least one indicator associated with and identifying at least one authentication mechanism (Col 8 lines 27-43); and controlling access to at least one resource based on the indicator (Col 5 lines 32-38).
4. As per claims 2, 12, and 22, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein generating the indicator further includes receiving inputs, providing the inputs to the authentication mechanism, and causing the authentication

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mechanism to generate at least one security identifier (SID) that identifies the authentication mechanism (Col 8 lines 27-43).

5. As per claims 3, 13, and 23, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein generating the indicator further includes identifying within the indicator at least one characteristic associated with the authentication mechanism (Col 8 lines 27-43).

6. As per claims 4, 14, and 24, Hillhouse discloses the method as recited in claims 3, 13, and 23, wherein the at least one characteristic associated with the authentication mechanism includes a measure of strength of the authentication mechanism (Col 8 lines 44-67).

7. As per claims 5, 15, and 25, Hillhouse discloses the method as recited in claims 4, 14, and 24, wherein the measure of strength of the authentication mechanism identifies a length of an encryption key employed by the authentication mechanism (Col 8 lines 44-67).

8. As per claims 6, and 16, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein controlling access to the resource based on the indicator further includes comparing the indicator to at least one access control list having at least one access control entry therein (Col 7 lines 15-18).

9. As per claims 7, and 17, Hillhouse discloses the method as recited in claims 6 and 16, wherein if the access control entry operatively specifies that the at least one authentication mechanism is permitted to access the resource, then access to the at least one resource is allowed to proceed (Col 7 lines 15-21).
10. As per claims 8, 18, Hillhouse discloses the method as recited in claims 6 and 16, wherein if the access control entry operatively specifies that the at least one authentication mechanism is not permitted to access the resource, then access to the at least one resource is not allowed to proceed (Col 5 lines 52-60).
11. As per claims 9, and 19, Hillhouse discloses the method as recited in claims 6 and 16, wherein if the access control entry does not operatively specify that the at least one authentication mechanism is permitted to access the resource, then access to the at least one resource is not allowed to proceed (Col 5 lines 52-60).
12. As per claims 10, 20, and 26, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein the indicator includes a security token.
13. As per claims 21, Hillhouse discloses an apparatus comprising: at least one authentication mechanism configured to generate at least one indicator that identifies the authentication mechanism (Col 8 lines 27-43); an access control list (Col 7 lines 15-

18); at least one access controlled resource (Col 8 lines 1-15); and logic operatively configured to compare the indicator with the access control list and selectively control access to the resource based on the indicator (Col 7 lines 1-26).

***Response to Arguments***

14. Applicant's arguments filed on January 21st, 2005 have been fully considered but they are not persuasive.

15. As per argument on page 10 3<sup>rd</sup> paragraph, Applicant argues that "the citing (Col 5 lines 32-38) does not discloses or suggests controlling access to at least one resource based on a generated indicator which is associated with and identifies at least one authentication mechanism". In (Col 8, lines 24-43), it discloses clearly the method of controlling access to at least one resource based on the indicator associated with the authentication method. The required authentication method to access the resource is indicated in the two bytes length code. The resource shown clearly in Col 5 and Col 8 is the cryptographic key file. Therefore, claims 1-10 rejection basis dated 10/21/04 is maintained.

16. As per argument on page 11, the examiner traverses applicant's argument as above. Claims 11-20 rejection basis dated 10/21/04 is maintained.

17. As per argument on page 12, the Applicant argues that Column 7 lines 1-26 does not teach "the selectively control access to the resource based on the indicator". Same argument as above, (Column 8, lines 24-43) discloses clearly a method of control access to the resource based on the indicator. (Col 7 lines 1-26 (specially lines 15-21)) teaches clearly a method of implementing access control list to prevent access to the key file. Therefore, claims 21-26 rejection basis dated 10/21/04 is maintained.

**Conclusion**

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Conclusion**

19. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (571)-272-3856.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (571)-272-3859. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2100.

21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval PAIR.I system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://paz-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh LD Son

Patent Examiner

J. L. S.  
AV 2135